

REMARKS

In response to the Office Communication dated 23 October 2006, Applicant submits this Amendment. Reconsideration and reevaluation, as amended, is respectfully requested.

5 In the Office Action dated 23 October 2006, the Examiner noted that the response filed by Applicant was not fully responsive to the restriction requirement. More specifically, the Examiner stated that the response filed 25 September 2006 was not responsive to the restriction requirement because Applicant has elected a species, "cells of saccharomyces cervisiae" as Specie B, which was not written in the claims as originally filed and is, therefore, non-compliant. The Examiner noted that the Applicant may only choose an example within a
10 specie election that is present in the claims. Applicant may not choose, according to the Examiner, at random, an example from the specification. Accordingly, Applicant elects species A. Additionally, the claims readable on this species are claim 1 and claim 12. It should be noted that Applicant re-urges their argument regarding the withdrawal of the restriction requirement; said argument, filed on 17 July 2006, is incorporated herein.

15 Please note that claim 1 had been previously amended as follows:

A medicinal product comprising ~~characterized in that through a content of~~
~~components and/or~~ extracts of prunus armenica and of cocos nucifera and of
humulus lupulus and of germinated barley ~~or germinated rye, or germinated~~
~~wheat~~ and of mycete, and the liquid obtained from alcoholic fermentation of the
20 grape juice of grapevines, and ~~from~~ of musaze and ~~from~~ of rubus leaves, in each
case as active ingredient.

Additionally, we note that claim 12 has also been amended such that the mycete is a chlorophyll-free, eukaryontic organism, as fully set out in claim 12.

Additionally, regarding the species B, C, D, E, and F of the Office Action, Applicant elects the following:

- Specie B: - kernels of *Prunus armenica*
- endosperm (copra) of *cocos nucifera*
 - leafs of *rubus* (blackberry)
 - myzelles of mycetes

Specie C: please elect "auxiliary means" as additional component and "drops" as one form of administration, in claim 4.

Specie D: elect extraction-method: solid-liquid extraction (claim 5) and subsequent partial evaporation (exactly: discontinous mash extract bath with water at 37°C for 120 hours, subsequently distillation of the extract, 5-times)

Specie E: - please elect liquid extract (*extracta fluidica*) in claim 9.
- please elect drops in claim 10.

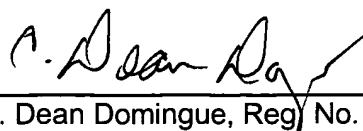
Specie F: please elect diseases of the psyche in claim 13.

In conclusion, Applicant offers this response. Please note that specie A has been elected with traverse. Claim 12 has also been amended with this response. If it would aide in disposition of this matter, the Examiner is kindly requested to contact the undersigned.

Respectfully Submitted,

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Date



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